

Authority: Government Management Committee Item 3.13,
as adopted by City of Toronto Council on May 17, 18 and 19, 2011
Enacted by Council: May 19, 2011

CITY OF TORONTO

BY-LAW No. 638-2011

To authorize the entering into of an agreement for the provision of a municipal capital facility at 900 Dufferin Street.

WHEREAS Section 252 of the *City of Toronto Act, 2006* provides that the City may exempt from taxation for municipal and school purposes land or a portion of it on which municipal capital facilities are, or will be, located and an agreement for municipal capital facilities may allow for the lease, operation or maintenance of the facilities; and

WHEREAS paragraph 10 of section 2 of Ontario Regulation 598/06 prescribes municipal facilities related to the provision of social and health services, including long-term care homes under Part VIII of the Long-Term Care Homes Act, 2007, as eligible municipal capital facilities; and

WHEREAS the City has entered into a Lease with Dufferin Mall Holdings Inc (the "Owner") for the use of the premises particularly described in Schedule "A" hereto (the "Premises") for the provision of social and health services (the "Lease"); and

WHEREAS Council is desirous of entering into an agreement with the Owner for the provision of a municipal capital facility at the Premises;

The Council of the City of Toronto HEREBY ENACTS as follows:

1. The City of Toronto is authorized to enter into an agreement under section 252 of the *City of Toronto Act, 2006* with the Owner for the provision of municipal facilities for the provision of social and health services at the Premises, in accordance with Ontario Regulation 598/06 (the "Agreement").
2. The Premises are exempt from taxation for municipal and school purposes.
3. This by-law shall be deemed repealed:
 - (a) if the Owner ceases to own the Premises without having assigned the Agreement to the new owner of the Premises;
 - (b) if the City ceases to use the Premises for the purposes of social and health services;
 - (c) when the Lease, or any renewal or extension of the Lease, expires;
 - (d) if the Lease, or any renewal or extension of the Lease, is terminated, for any reason whatsoever; or
 - (e) if the Agreement is terminated for any reason whatsoever.

- 4.** (1) Sections 1, 3 and 4 of this by-law shall come into force on the day that the by-law is enacted.
- (2) Section 2 of this by-law shall come into force on the later of the following:
- (a) the date the tax exemption by-law is enacted; and
- (b) the day that the Agreement is entered into by the City and the Owner.

ENACTED AND PASSED this 19th day of May, A.D. 2011.

FRANCES NUNZIATA,
 Speaker

ULLI S. WATKISS,
 City Clerk

(Corporate Seal)

SCHEDULE "A"

DESCRIPTION OF THE PREMISES

Assessment Roll No. 1904-02-4-500-01400

1,076 square feet of space at 900 Dufferin Street
CON 1 FB PT PARK LOT 29 RP 66R13019 PARTS 1 3 5 TO 8 11 TO 20